



EPA Review of 25 February 2011 Deliverables for WGS

Stephen Tyahla to: jwhelan1

03/04/2011 04:47 PM

steven.chang@doh.hawaii.gov, stuart.yamada@doh.hawaii.gov, lene.ichinotsubo,
Cc: Steve Armann, David Wampler, Andrew Helmlinger, Rich
Vaille, Steve Wall, Bret Moxley

From: Stephen Tyahla/R9/USEPA/US

To: jwhelan1@wm.com

Cc: steven.chang@doh.hawaii.gov, stuart.yamada@doh.hawaii.gov,
alec.wong@doh.hawaii.gov, lene.ichinotsubo@doh.hawaii.gov, Steve
Armann/R9/USEPA/US@EPA, David Wampler/R9/USEPA/US@EPA, Andrew
Helmlinger/R9/USEPA/US@EPA, Rich Vaille/R9/USEPA/US@EPA, Steve
Wall/R9/USEPA/US@EPA, Bret Moxley/R9/USEPA/US@EPA

Joe,

We have reviewed the revised plans and documents you provided by e-mail on February 25, 2011, under cover of your letter of the same date. We also received and reviewed the CQA report for the southwestern portion E6 liner repair that you sent by a separate e-mail that same date. Thank you for your prompt submissions.

Our response to each is as follows:

1) **"Description of collection & treatment associated with liquid located behind the temporary berm"** (AOC paragraph 19.d.)—APPROVED

2) **"Work plan for managing any potential hydraulic head in the Cell E6 location"** (AOC paragraph 19.e.) —Report is APPROVED; this item of the Work is now considered complete.

3) **"Work plan for restoration of the existing sedimentation basin"** (AOC paragraph 19.h.) —APPROVED; [but need WMH concurrence on completion schedule](#). WMH's revised plan (GEI letter of February 21, 2011) suggests work should be completed by **March 14, 2011**. [Please confirm if this is your proposed deadline or if you wish to propose another date for completing this item of the Work.](#)

4) **"Work plan for the beach assessment and material recovery actions"** (AOC paragraph 19.i.)—APPROVED; [however, please provide](#) the "hotline" phone number and a list of who it was given to or how it was posted or otherwise advertised so that the general public is aware of the hotline.

5) **"Updated Storm Water Management & Contingency Plan"** (per Condition 4 of EPA's January 28, 2011 e-mail that provided conditional approval for re-opening Cell E6)—APPROVED

6) **E6 Liner Repair Deadline:** EPA concurs with WMH's request of **May 15, 2011** as the deadline for completing the liner repairs in accordance with the previously-approved

“Waimanalo Gulch Landfill Workplan for Liner Evaluation and Repair” (Geosyntec Consultants’ letter of January 27, 2011) per AOC paragraph 19.f. EPA has reviewed and approves the CQA report provided by WMH under separate cover for completion of repairs to the “middle sideslope liner area” (AECOM letter of February 25, 2011). [In WMH daily reports, this same area has been referred to as the “southwestern” portion.]

For your convenience, I have attached an updated deliverables tracking spreadsheet that reflects all the above. Again, it does not supersede any order requirements, but is provided as a convenient tool.

Please don’t hesitate to contact me with any questions. I look forward to seeing you at the facility the afternoon of 10 March.

Thanks,

Steve Tyahla
Stephen F. Tyahla, P.E., CHMM
Project Manager, RCRA Corrective Action Office
Waste Management Division
U.S. EPA Region IX
75 Hawthorne Street (WST-5)
San Francisco, CA 94105
Ph. 415.972.3466 / Fax 415.947.3533
tyahla.stephen@epa.gov

[This email, including any attachments, may contain non-public, privileged and/or confidential information solely intended to be conveyed to the designated recipient(s). If you receive this email and are not an intended recipient, please delete this email and its attachments immediately. The unauthorized use, dissemination, distribution, or reproduction of this email and its attachments is strictly prohibited by law.]



AOC task due dates-WGSL.xls

Deliverable or Task (AOC ¹ paragraph) Revision date: 03/04/2011	Due Date ³	Date Submitted or Completed by WMH	Date Response issued by EPA	Date Resubmission due to EPA (if required, 15 days from EPA response)	Date Resubmitted by WMH	Date approved by EPA
EFFECTIVE DATE OF AOC = 25-Jan-11						
Ensure the termination of discharges of liquid originating from cell #E6 to the to the Pacific Ocean, except as in compliance with any applicable permit, immediate/ongoing (19.c.)	25-Jan-11	Ongoing	NA ²	NA	NA	NA
Respondent shall not operate cell #E6 without further approval from EPA (19.g.)	25-Jan-11	27-Jan-11	28-Jan-11	NA	NA	28-Jan-11
Submit Daily Progress Reports (via e-mail), starting 2 days after Effective Date (i.e., 27-Jan-11) (24.a.)	27-Jan-11	27-Jan-11	NA	NA	NA	NA
Condition 1) of EPA 28-Jan-11 Approval to Operate Cell #E6: Waste is to be disposed only within the footprint designated on your hand-annotated drawing submitted with your Petition for Re-Opening.	28-Jan-11	NA	NA	NA	NA	NA
Condition 2) of EPA 28-Jan-11 Approval to Operate Cell #E6: As recommended by AECOM, waste placement operations should be kept a minimum of 50 feet away from the damaged western edge of E6	28-Jan-11	NA	NA	NA	NA	NA
Continue to collect and transport to a local treatment facility the waters at the Site retained behind the temporary earthen berm in cell #E6. Provide a written description of the collection and treatment activities, the current permitting and the chemical parameters of the liquids, and transportation methods to the local treatment facility, due within 7 days of Effective Date (19.d.)	1-Feb-11	1-Feb-11	10-Feb-11	25-Feb-11	25-Feb-11	4-Mar-11
Provide to EPA and DOH a Work Plan and schedule, subject to modification based on further field analysis, for managing the hydraulic head between cell #E6 and the fluids outside of cell #E6 in order to maintain the integrity of the cell liner as the fluids are drawn down and the leachate collection system is returned to normal functions, due within 7 days of Effective Date (19.e.)	1-Feb-11	1-Feb-11	10-Feb-11	NA	NA	10-Feb-11
Provide to EPA and DOH a Work Plan and schedule to restore the sediment basin system to its intended capacity and function, due within 7 days of the Effective Date (19.h.)	1-Feb-11	1-Feb-11	10-Feb-11	25-Feb-11	25-Feb-11	4-Mar-11
Provide to EPA and DOH a Work Plan and schedule for ongoing daily beach assessment and recovery of Waste Material released from the WGSL, due within 7 days of the Effective Date (19.i.)	1-Feb-11	1-Feb-11	10-Feb-11	25-Feb-11	25-Feb-11	4-Mar-11
Submit Site Health and Safety Plan, due within 7 days of Effective Date (21.)	1-Feb-11	1-Feb-11	10-Feb-11	NA	NA	Accepted 10 Feb 11
Maintain specified comprehensive general liability insurance and automobile insurance with limits of \$2,000,000, combined single limit; provide certificates of insurance to EPA within 7 days of Effective Date (75.)	1-Feb-11	26-Jan-11	NA	NA	NA	NA
Condition 4) of EPA 28-Jan-11 Approval to Operate Cell #E6: Submit a revised stormwater contingency plan by February 1, 2011.	1-Feb-11	1-Feb-11	10-Feb-11	25-Feb-11	25-Feb-11	4-Mar-11
Analysis by a qualified Civil or Geotechnical Engineer of the stability and suitability of the temporary earthen berm, due within 10 days of the Effective Date (19.a.)	4-Feb-11	4-Feb-11				

Deliverable or Task (AOC ¹ paragraph) Revision date: 03/04/2011	Due Date ³	Date Submitted or Completed by WMH	Date Response issued by EPA	Date Resubmission due to EPA (if required, 15 days from EPA response)	Date Resubmitted by WMH	Date approved by EPA
Condition 3) of EPA 28-Jan-11 Approval to Operate Cell #E6: The western edge of Cell E6 should be repaired as expeditiously as practicable, with plan and schedule for repair provided to EPA within one week (from date of EPA approval, thus due 4-Feb-11)	4-Feb-11	4-Feb-11	10-Feb-11	NA	NA	10-Feb-11
Provide to EPA and DOH a Work Plan and schedule to evaluate and demonstrate or restore the integrity of the liner system in cell #E6, due within 14 days of the Effective Date (19.f.)	8-Feb-11	4-Feb-11	10-Feb-11	NA	NA	10-Feb-11
Complete construction of a functional storm water diversion structure on the west side above cell #E6, due within 21 days of the Effective Date (19.b.)	15-Feb-11	15-Feb-11	16-Feb-11	NA	NA	16-Feb-11
Submit Post-Assessment letter report documenting the results of the piezometric assessment (19.e.)	7-Mar-11	25-Feb-11	3-Mar-11	NA	NA	4-Mar-11
Condition 5) of EPA 28-Jan-11 Approval to Operate Cell #E6: No later than fifteen (45 25 days [Extension granted to WMH by EPA on 2/10/11]) after the completion of a functional storm water division structure (Western Drainage System) as required in 19.b. of EPA's Order, WM must revise and submit to EPA its SWPCP to incorporate the functional Western Drainage System and all ancillary storm water connections into its revised SWPCP consistent with the requirements of its storm water general permit.	12-Mar-11					
Complete restoration of the sediment basin system to its intended capacity and function by implementing the approved Work Plan (19.h.)	14-Mar-11					
Complete liner repairs in accordance with the EPA-approved "Waimanalo Gulch Landfill Workplan for Liner Evaluation and Repair," including submission of the Construction Quality Assurance ("CQA") report(s) (19.f)	15-May-11					
In event of emergency situation that causes or threatens a release of Waste Material from the Site: Immediately take all appropriate actions, and Immediately notify the OSC or the RAO; if neither available, notify EPA's Regional Duty Officer (38.)	As Required					
Submit Final Report , due 60 days after completing all Work (25.)	TBD					

NOTES:

1- "AOC" refers to U.S. EPA Region 9's Administrative Order on Consent for Removal Action, CERCLA Docket No. 09-2011 0007 and RCRA Docket No. 7003-09-2011-0001 of 25 January 2011.

2- "NA" means Not Applicable.

3- *Italicized dates* are as proposed by EPA in comments back to WMH